

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

FLYING DOG BREWERY, LLLP)	Case No. 1:11-CV-00307-RJJ
)	
Plaintiff,)	
)	
v.)	
)	
MICHIGAN LIQUOR CONTROL)	
COMMISSION, et al.,)	
)	
Defendants.)	
)	

PLAINTIFF'S RULE 26(a)(1) DISCLOSURES

Pursuant to the Court's order of June 9, 2011, and Fed. R. Civ. Proc. 26(a)(1)(A),
Plaintiff Flying Dog Brewery, LLLP makes the following initial disclosures:

(i) Individuals Likely to Have Discoverable Information

James Caruso
General Partner, Flying Dog Brewery, LLLP
4607 Wedgewood Blvd.
Frederick, MD 21703
Tel: 303.694.7899

Mr. Caruso is familiar with the history of the brewery, brewery operations, Ralph Steadman, Gonzo art and journalism, beer naming and label creation process, label approval process, overall company strategy, sales strategy, sales data, creative process and artistic and marketing direction, wholesaler relationships, pricing strategy, sales analysis, and damages.

Kelly McElroy
President (and former CFO), Flying Dog Brewery, LLLP
2330 Broadway
Suite 104
Denver, CO 80205
Tel: 303.292.5027

Ms. McElroy is familiar with pricing, cost analysis, sales data, federal and state label approval process, and damages.

Bobby Otto
Staff Accountant
Flying Dog Brewery, LLLP
4607 Wedgewood Blvd.
Frederick, MD 21703
Tel: 302.694.7899

Mr. Otto is familiar with sales and pricing data.

Justin Livengood
Purchasing Specialist
Flying Dog Brewery, LLLP
2330 Broadway, Suite 104
Denver, CO 80205
Tel: 303.292.5027

Mr. Livengood is familiar with sales and cost data.

Each individual defendant named in this litigation is believed to have knowledge of their acts and omissions that created liability in this case. The best addresses and telephone numbers for reaching these individuals are known to Defendants' counsel. Plaintiff reserves the right to take discovery of the individual Defendants and call them as witnesses at trial.

John Warbritton
Rick Lack
Rave Associates (Wholesaler)
260 Mety Drive
Suite H
Ann Arbor, MI 48103
Tel: 734.761.7702

Messrs. Warbritton and Lack are believed to be familiar with Flying Dog's history in Michigan, Michigan retailers, Michigan sales & pricing.

Bruce Parkes
West Side Beer Distributing, Inc.
5400 Patterson Avenue SE
Grand Rapids, MI 49512
Tel: 616.698.1900

Mr. Parkes is believed to be familiar with Flying Dog's history in Michigan, Michigan retailers, Michigan sales & pricing.

(ii) Documents, Electronically Stored Information, and Tangible Things:

Some of the information identified may be confidential or otherwise privileged. Counsel should confer to facilitate any desired discovery of this information.

Beer, and electronically stored label art, located at:

Flying Dog Brewery, LLLP
4607 Wedgewood Blvd.
Frederick, MD 21703

Microsoft Dynamics Great Plains ("Great Plains") internal accounting software
Sales, pricing and cost information stored electronically on servers located at:

Flying Dog Brewery, LLLP
4607 Wedgewood Blvd.
Frederick, MD 21703

Flying Dog Brewery, LLLP
2330 Broadway
Suite 104
Denver, CO 80205

Vermont Information Processing (VIP) – Third-party service provider that collects and shares information between and among suppliers (breweries) and wholesalers. Accessed through on online subscription and data is often also downloaded and stored on computers and servers at:

Flying Dog Brewery, LLLP
4607 Wedgewood Blvd.
Frederick, MD 21703

Flying Dog Brewery, LLLP
2330 Broadway
Suite 104
Denver, CO 80205

Defendants are also in possession of various documents relating to the application, disapproval, and subsequent approval of Raging Bitch, including but not limited to applications, orders, opinions, and hearing transcripts.

(iii) Computation of Damages:

Damages for lost profits are calculated at \$26,204.00, as set forth in the attached spreadsheet. Plaintiff will be providing additional information as to the calculation of damages pursuant to the Court's scheduling order.

For reference: A Case Equivalent ("CE") of beer is a standard unit of measure equal to one case of 24-12 ounce bottles, i.e., 288 ounces or 2.25 gallons. Flying Dog beers are sold in cases of 24-12 ounce bottles as well as 1/6 barrels and 1/2 barrels of draft beer. A barrel equals 31 gallons. A 1/6 barrel equals 5.17 gallons or 2.296 CEs. A 1/2 barrel equals 15.5 gallons or 6.888 CEs. Flying Dog estimates a loss of 1,920 CEs of non-Raging Bitch beer and 9,037 CEs of Raging Bitch beer owing to the Defendants' acts and omissions.

(iv) Insurance Agreements: None.

Dated: June 30, 2011

Respectfully Submitted,

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By: /s/ Alan Gura
Alan Gura
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